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C O N F I D E N T I A L MANAMA 000268

SIPDIS

DEPARTMENT FOR NEA/PI, NEA/ARP, AND DRL/PHD  
CAIRO FOR STEVE BONDY  
LONDON FOR ETHAN GOLDRICH

E.O. 12958: DECL: 02/23/2029

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SUBJECT: JUSTICE MINISTER: MEPI JUDICIAL REFORM PROJECT  
MUST STAY LOW PROFILE

REF: 03 MANAMA 237

Classified By: Charge d'Affaires Robert S. Ford for reasons  
1.4 (b) and (d).

11. (C) SUMMARY. The Minister of Justice has decided that the MEPI-funded ABA judicial reform project should maintain a low profile to avoid criticism or friction from Muslim conservatives. He promised the Charge on February 23 that the ABA representatives would have full freedom to meet and communicate with all Bahrainis. However, the ABA contractor claimed that the Minister backpedaled on this commitment on February 24. The ABA representative said he cannot guarantee the success of the project with limitations to access and communications. An important follow-up project to the Arab Judicial Forum, its success is important to MEPI's regional judicial reform effort. The situation appears manageable but may require a significant investment of time and intensive management to find ways for the ABA representative to achieve his objectives while meeting the Minister's concerns. END SUMMARY.

12. (C) Charge met with the Minister of Justice Jawad bin Salim Al Arayed on February 23 to discuss some concerns ABA representative John Hermina raised with PolOff about his working conditions at the MOJ. Hermina mentioned to us on February 18 that Al Arayed instructed Hermina not to seek ABA office space outside the MOJ, not to contact legal professionals outside the MOJ, not to seek publicity for the judicial reform project and not to discuss the project with anyone. Hermina told PolOff that under these conditions, he could not guarantee the success of the project.

13. (C) In defense of his instructions, Al Arayed told Charge that he knows how best to maneuver through the MOJ and the legal community to effect change. The Minister reminded CDA and PolOff that John Hermina is an American Egyptian Coptic Christian and that the majority of judges in the Ministry are Muslim Egyptians. "I need to minimize potential friction between the MOJ, Hermina, and the Muslim judges," he said. He added that many Ministry employees are Sunni Muslim conservatives, not to mention the Sunni conservative cast of Parliament. As a Shi'a minister constantly under criticism from this quarter, Al Arayed said he needs ABA to keep a low profile to ensure long-term success of reform.

14. (C) The Minister told CDA that he has no objections to Hermina meeting with whomever he pleases in Bahrain. He also has no objections to the ABA publicizing in its materials in the US that they have a project in Bahrain. Al Arayed added that he and John have an excellent working relationship. The Minister was pleased to inform Charge that, with Hermina's assistance, the MOJ will start recruiting judges by public announcement, and plans for establishing a legal training center are underway.

15. (C) However, in conjunction with placing a public announcement for judge selection, Hermina told PolOff that the Minister of Justice refused to allow Hermina to contact any representative from the Bahrain Bar Society. "They are a bunch of crooks and you do not want to be exposed to those kinds of people," Al Arayed said. Hermina said that Al Arayed's reasons for limiting his access changes from day to day. Al Arayed said it was impossible to establish an ABA office in Bahrain since ABA is not an NGO nor is it registered. Hermina offered to apply to the Ministry of Labor and Social Affairs (MOLSA) to register. Al Arayed responded that as an "independent" NGO, ABA would have no sponsorship from the MOJ.

16. (C) COMMENT. This project is one of the few bilateral judicial reform projects derived from the Arab Judicial Forum. Both sides have a stake in the project's success. We believe the project's birthing pains are manageable, but it may take a significant investment of time to find ways for the ABA representative to achieve his objectives while meeting the Minister's concerns. In particular, we will have to find a creative way for Hermina to pursue his contacts in Bahrain. END COMMENT.  
FORD